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January 16, 2007

VIA TELEFAX & REGULAR MAIL

Mr. Tony Gomes, President  
Tony Gomes Construction, Co., Inc.  
P.O. Box 86  
Harrison, New Jersey 07029

Re: NJ39-P002-053  
56 Units

Dear Mr. Gomes:

This letter will serve to clarify my letter to you dated January 4, 2007. Be advised that the Authority retained the services of the Armand Corporation to act as its Construction Manager with regard to the above captioned development. As such the Armand Corporation is the "eye and ears" of the Authority.

More specifically, Armand is to make on-site inspections on a daily basis to determine conformity with plans and specification and quality of work being executed. They are to initiate the punch list inspection process and prepare a list of incomplete or defective work. The Construction Manager advises the Authority when they believe that construction is complete and the project is ready for a construction closing. To date, the Armand Corporation has not recommended a closing with regard to the 38 units.

In accordance with the terms of the Turnkey Contract of Sale and the Construction Management Services Contract for this development, the Authority will not proceed to closing until the Armand Corporation recommends said action. Based upon the foregoing, I recommend that you initiate discussions with the Armand Corporation since they are on site daily. Further, your company should take whatever efforts are needed to meet the established standard for closing.

With regard to your assertion that delay charges will be invoiced to the Authority, I must once again remind you that the Authority is required to adhere to the Turnkey Contract of Sale. This Contract does not allow the Authority to recognize these delay charges

especially when our Construction Manager has stated that your project is not ready for closing.

This will be my final correspondence to you with regard to this matter. All future communications should be handled through the Authority's representative, the Armand Construction Company. If you are having difficulties with the daily on-site personnel you may contact the president of the Armand Corporation, Ms. Barbara Armand her contact information is as follows:

Barbara Armand, President  
815 Garden Avenue  
Cherry Hill, New Jersey 08003  
(856) 489-8200 ext. 36 Ph  
(856) 816-4556 Cell  
(856) 489-8212 Fx  
[barmand@armandcopr.com](mailto:barmand@armandcopr.com)

By copy of this letter, I am instructing Ms. Armand to meet with your company representatives to outline the requirements that must be met before they recommend a construction closing to the Authority. Your immediate attention to this matter is greatly appreciated.

Sincerely,



Karen McLane Torian  
Chief Asset Development and Preservation Officer

Cc Hon. Dickinson R. Debevoise, U.S. District Court  
Mayor Cory Booker, City of Newark  
Keith D. Kinard, Executive Director of the NHA  
Diane Johnson, HUD  
Barbara Armand, Armand Corp.  
Luis Quintana, Newark Council Member-at-Large  
Augusto Amador, Newark Council Member, East Ward  
Oscar S. James II, Newark Council Member, South Ward  
Carlos Gonzalez, Newark Council Member-at-Large  
**Gus Heningburg, Gustav Heningburg & Associates**  
John Casey, Esq., Wolff & Samson  
Ellen Michelle Harris, Esq., NHA  
Morris Warner, NHA  
Pablo Fonseca, Chief of Staff, Mayor's Office, City of Newark  
LaMark Tillery, NHA  
Sheila M. Dennis, General Manager, TGCCI